

Steven L. Woodrow (admitted *pro hac vice*)  
Edelson PC  
999 West 18th Street, Suite 3000  
Denver, Colorado 80202  
Telephone: (303) 357-4878  
Facsimile: (303) 446-9111  
Email: swoodrow@edelson.com

Jay Edelson (admitted *pro hac vice*)  
Alicia Hwang (admitted *pro hac vice*)  
Edelson PC  
350 North LaSalle Street, Suite 1300  
Chicago, Illinois 60654  
Telephone: (312) 589-6370  
Facsimile: (312) 589-6378  
Email: jedelson@edelson.com  
Email: ahwang@edelson.com

Scott B. Kitei (admitted *pro hac vice*)  
Honigman Miller Schwartz and Cohn LLP  
2290 First National Building  
660 Woodward Avenue  
Detroit, Michigan 48226-3506  
Telephone: (313) 465-7000  
Facsimile: (313) 465-8000  
skitei@honigman.com

Robin E. Phelan, TBN 15903000  
Stephen Manz, TBN 24070211  
Haynes and Boone, LLP  
2323 Victory Avenue, Suite 700  
Dallas, Texas 75219  
Telephone: 214.651.5000  
Facsimile: 214.651.5940  
Email: robin.phelan@haynesboone.com  
Email: stephen.manz@haynesboone.com

Counsel for Gregory Greene and Joseph Lack

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:	§ Chapter 15
	§
MtGox Co., Ltd. (a/k/a MtGox KK)	§ Case No. 14-31229-sgj-15
	§
Debtor in a Foreign Proceeding	§
	§

**MOTION FOR SETTING AND REQUEST FOR EXPEDITED HEARING ON  
CREDITORS GREGORY GREENE AND JOSEPH LACK'S MOTION  
FOR TERMINATION OF PROVISIONAL RELIEF**

1. Gregory Greene ("Greene") and Joseph Lack ("Lack") (collectively the "Movants") hereby request that a hearing to consider *Creditors Gregory Greene and Joseph Lack's Motion for Termination of Provisional Relief* (the "Stay Motion") be set on Tuesday, April 1, 2014 at 1:30 p.m.

2. Movants filed the Stay Motion contemporaneously with this motion. The Stay Motion seeks the entry of an Order terminating the automatic stay granted to Robert Marie Mark Karpeles (the "Foreign Representative") with respect to the class action litigation commenced by Greene in the United States District Court for the Northern District of Illinois against the Debtor, the Foreign Representative (in his individual capacity), Tibanne KK, and MtGox Inc. (Case No. 1:14-cv-1437) (the "Class Action Litigation").

3. An expedited hearing on the Stay Motion is in the best interest of the parties. A case status conference is scheduled in these proceedings for Tuesday, April 1, 2014 at 1:30 p.m. and all parties plan to attend. Hearing the Stay Motion during the status conference will avoid the need for a subsequent hearing on the Stay Motion.

4. Notice of the proposed expedited hearing will be sufficient because all interested parties will be served with the Stay Motion and this request for expedited consideration via electronic mail or first class mail, and once a hearing on the Stay Motion has been set, Movants shall serve notice of such hearing via electronic mail or overnight courier, in accordance with the Federal Rules of Bankruptcy Procedure.

5. A hearing was not requested earlier, because Movants had been working with the Foreign Representative to schedule a deposition in the United States on an expedited basis, so as to permit Movants to question the foreign representative about the facts and circumstances leading to the Chapter 15 filing, and the statements made by the Foreign Representative in the *Declaration of Robert Marie Mark Karpeles* in support of the Petition (the "Karpeles Declaration") [Docket No. 3]. On March 21, 2014, counsel to the Foreign Representative informed Movants that the Foreign Representative would not be traveling to the United States for a deposition, and only offered to make the Foreign Representative available from Taipei, Taiwan via video conference, on April 17, 2014.

6. In addition, on March 20, 2014, a statement by the Foreign Representative posted on the Debtor's web site, a copy of which is attached to the Woodrow Declaration as Exhibit D, states that on March 7, 2014, the Debtor confirmed that the company had located approximately 200,000 bitcoins. Neither the petition nor any of the pleadings filed by the Foreign Representative on the May 10 petition date in the Chapter 15 proceeding make any mention of this substantial discovery, leaving the plaintiffs in the Class Action Litigation to guess as to what other critical details the Foreign Representative is not disclosing to this Court and its creditors.

7. Upon learning the details in paragraphs 5 and 6 herein, Movants promptly filed the Motion within two business days to ensure that the Foreign Representative is unable to continue managing the Debtor's assets and operations without submitting to an examination in the United States, and without any oversight whatsoever by courts in the United States.

Dated: March 25, 2014

By: /s/ Robin E. Phelan

Robin E. Phelan, TBN 15903000  
Stephen Manz, TBN 24070211  
HAYNES AND BOONE, LLP  
2323 Victory Avenue, Suite 700  
Dallas, Texas 75219  
Telephone: 214.651.5000  
Facsimile: 214.651.5940  
Email: robin.phelan@haynesboone.com  
Email: stephen.manz@haynesboone.com

and

Steven L. Woodrow (admitted *pro hac vice*)  
EDELSON PC  
999 West 18th Street, Suite 3000  
Denver, Colorado 80202  
Telephone: (303) 357-4878  
Facsimile: (303) 446-9111  
Email: swoodrow@edelson.com

and

Jay Edelson (admitted *pro hac vice*)  
Alicia E. Hwang (admitted *pro hac vice*)  
EDELSON PC  
350 North LaSalle Street, Suite 1300  
Chicago, IL 60654  
Telephone: 312.589.6370  
Facsimile: 312,589.6378  
Email: jedelson@edelson.com  
Email: ahwang@edelson.com

and

and

Scott B. Kitei (admitted *pro hac vice*)  
HONIGMAN MILLER SCHWARTZ AND COHN  
LLP  
2290 First National Bldg.  
660 Woodward Ave.  
Detroit, MI 48226  
Telephone: 313.465.7524  
Facsimile: 313.465.7525  
Email: skitei@honigman.com

**ATTORNEYS FOR GREGORY GREENE AND  
JOSEPH LACK**

**CERTIFICATE OF CONFERENCE**

On March 24, 2014, counsel to Movants contacted counsel to the Foreign Representative regarding the relief requested in the Motion to Expedite. Counsel to the Foreign Representative does not consent to the relief requested in the Motion to Expedite.

By: /s/ Robin E. Phelan

Robin E. Phelan

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 25, 2014 a true and correct copy of the foregoing document was served (i) upon all parties on the attached Service List via e-mail (if available as indicated thereon) or first class mail, and (ii) via e-mail upon the parties that receive electronic notice in this case pursuant to the Court's ECF filing system:

/s/ Robin E. Phelan

Robin E. Phelan

**SERVICE LIST**

David W. Parham  
John Mitchell  
Baker & McKenzie LLP  
2300 Trammell Crow Center  
2001 Ross Avenue  
Dallas, TX 75201  
Email: david.parham@bakermckenzie.com  
Email: john.mitchell@bakermckenzie.com

Erin E. Broderick  
Baker & McKenzie LLP  
300 East Randolph Drive, Suite 500  
Chicago, IL 60602  
Email: erin.broderick@bakermckenzie.com

Office of the United States Trustee  
1100 Commerce Street, Room 976  
Dallas, TX 75242  
Email: ustpreion06.da.ecf@usdoj.gov

Christopher L. Door  
Edelson PC  
350 North LaSalle St., Suite 1300  
Chicago, IL 60654

Edgar Sargent  
Susman Godfrey LLP  
1201 3rd Avenue, Suite 3800  
Seattle, WA 98101-3087

Jean-Denis Marx  
Baker & McKenzie (Gaikokuho Joint Ent.)  
Ark Hills Sengokuyama Mori Tower 28th Fl  
1-9-10 Roppongi  
Tokyo 106-0032 Japan

John M. Murphy  
Baker & McKenzie LLP  
300 East Randolph, Suite 5000  
Chicago, IL 60601

Josephine Garrett  
Josephine Garrett, P.C.  
3119 West 5th Street

Fort Worth, TX 76107

Mark Karpeles  
6-28-3302, Aobadai 3-chome, Meguro-ku  
Tokyo, Japan

Megan Lindsey  
Edelson PC  
999 West 18th St., Suite 3000  
Denver, CO 80202

MtCox, Co. Ltd. a/k/a MtGox KK  
11-5, Shibuya 2-chome, Shibuya-ku  
Tokyo, Japan

Roger M. Townsend  
Breskin Johnson & Townsend PLLC  
1111 Third Avenue, Suite 2230  
Seattle, WA 98101

Rosa A. Shirley  
Baker & McKenzie LLP  
2001 Ross Avenue, Suite 2300  
Dallas, TX 75201

The Honorable Jeh Johnson  
Secretary of Homeland Security  
Department of Homeland Security  
Washington, DC 20528